

SENATE BILL 2940  
By Jordan

AN ACT to amend Chapter 107 of the Private Acts of 1957, as amended by Chapter 2 of the Private Acts of 1987, Chapter 63 of the Private Acts of 1993, Chapter 112 of the Private Acts of 1994, and all other acts amendatory thereto, relative to the Williamson County Hospital District.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 107 of the Private Acts of 1957, as amended by Chapter 2 of the Private Acts of 1987, Chapter 63 of the Private Acts of 1993, Chapter 112 of the Private Acts of 1994, and all other acts amendatory thereto, is amended by adding at the end of Section 7 the following language:

(p) To participate as a shareholder in a corporation, as a joint venturer in a joint venture, as a general partner in a general partnership, as a limited partner in a limited partnership or a general partnership, as a member in a nonprofit corporation or as a member of any other lawful form of business organization, which provides hospital, medical or health care or engages in any activity supporting or related to the exercise of any power granted to the hospital district;

(q) To make or arrange for contributions to capital and other debt and equity financing for the activities of any corporation of which such authority is the sole shareholder or sole member, and any other obligations for such purposes;

(r) To elect all or any of the members of the board of directors of any nonprofit corporation of which the hospital district is a member and has the power to so elect under the nonprofit corporation charter and bylaws;

(s) To create, establish, acquire, operate or support subsidiaries and affiliates, to assist such hospital district in fulfilling its purposes;

(t) To create, establish or support nonaffiliated nonprofit corporations or other lawful business organizations which operate and have as their purposes the furtherance of such hospital district's purposes;

(u) Without limiting the generality of the preceding subdivisions (s) and (t), to accomplish and facilitate the creation, establishment, acquisition, operation or support of any such subsidiary, affiliate, nonaffiliated corporation or other lawful business organization by means of acquisition or disposal of assets, leases of real or personal property, or guarantees of indebtedness of such subsidiaries and affiliates;

(v) To indemnify any person (including for purposes of this subdivision such person's estate and personal representatives) made or threatened to be made a party to any action or proceeding, whether civil or criminal, by reason of the fact that such person is or was a board member or officer of such hospital district, or by reason of the fact that such person serves or served any other corporation or other entity or organization in any capacity at the request of the hospital district, against all judgments, fines, amounts paid in settlement and reasonable expenses as a result of any such action or proceeding, or an appeal therein; provided, however, that nothing herein shall be construed as permitting indemnification of any person:

(i) In connection with any malpractice action or proceeding arising out of or in any way connected with such person's practice of their profession;

(ii) In connection with an action or proceeding by such hospital which a person is adjudged liable to such hospital district; or

(iii) In connection with any other action or proceeding in which such person is adjudged liable on the basis that personal benefit was improperly received by such person.

(w) To make any other indemnification now or hereafter authorized by law;

(x) To exercise in any other county either within or without this state any power that may be exercised in the county in which the hospital district's principal hospital, medical and health care facilities and programs are located, notwithstanding any other statute to the contrary, whenever in the judgment of its board of trustees the operation of the hospital authority's hospital, medical and health care or program facilities, or the quality of medical or health care for its citizens in the county of its principal hospital operations will be enhanced through economic interest in or contractual arrangements with hospital, medical and health care facilities or programs located outside said county; and

(y) To have and exercise all powers necessary or convenient to effect any or all the purposes for which the hospital district is organized.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Williamson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Williamson County legislative body and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 2.